

U.S. Appl. No 09/899,767
Response and Amendment dated August 19, 2003
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REMARKS

Claims 1-32 have been subjected to a restriction requirement under 35 U.S.C. §121 which requires an election between Group I containing Claims 1-16 and drawn to a combinatorial screening apparatus, Group II containing Claims 17-24 drawn to a method for screening an array of solids for electrocatalytic activity, Group III containing Claims 25-30 drawn to an apparatus for bulk catalyst testing, and Group IV containing Claims 31 and 32 drawn to a method for screening a catalyst for electrocatalytic activity. Applicants hereby elect, without traverse, to prosecute the invention of Group I containing Claims 1-16. The non-elected claims, Claims 17-32, have been cancelled.

Claims 1 and 2 of the elected Group I have further been determined to be generic to a plurality of disclosed patentably distinct species thereby requiring an election of species and a listing of all claims readable thereon. The patentably distinct species are listed as comprising: (a) a catalyst array support, (b) a detector, (c) solids, (d) a reagent fluid, (e) an ion concentration indicator, and (f) a second reagent fluid. Applicant traverses the election of species requirement on the basis that that requirement is improper. The listed "species" are not specifically different disclosed embodiments of the invention as is required for a proper election of species requirement, MPEP 806.04(e), and claims restricted to the above-listed species does not result in groups of claims that are mutually exclusive.

However, In compliance with the requirement that applicant make an election of species, applicant hereby elects the species (a) the catalyst array support. Since both independent Claims 1 and 13 recite a catalyst array support, all of the elected claims 1-16 are readable on the elected species.

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Accordingly, in view of the above amendments and remarks, this application is now believed to be in a condition for an allowance of all remaining claims and such action is respectfully requested.

Respectfully submitted,



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